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DATE MAILED: 09/21/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,779	07/24/2003	Yoshihiro Nonaka	02-222291	8192
21254 7.	590 09/21/2004		EXAM	INER
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			CUNNINGHAM, TERRY D	
			ART UNIT	PAPER NUMBER
			2816	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
	10/625,779	NONAKA, YOSHIHIRO			
Office Action Summary	Examiner	Art Unit			
	Terry D. Cunningham	2816			
The MAILING DATE of this communication ap Period for Reply	pears on the cover sheet with the o	correspondence address			
A SHORTENED STATUTORY PERIOD FOR REPL THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a rep - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statut Any reply received by the Office later than three months after the mailine earned patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a reply be tingly within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONE	mely filed  ys will be considered timely.  the mailing date of this communication.  ED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on					
2a) ☐ This action is <b>FINAL</b> . 2b) ☑ Thi	☐ This action is <b>FINAL</b> . 2b) ☐ This action is non-final.				
3) Since this application is in condition for allowa	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
closed in accordance with the practice under	Ex parte Quayle, 1935 C.D. 11, 4	53 O.G. 213.			
Disposition of Claims					
4) Claim(s) 1-10 is/are pending in the application	1.				
4a) Of the above claim(s) is/are withdra	awn from consideration.				
5) Claim(s) is/are allowed.					
6)⊠ Claim(s) <u>1-10</u> is/are rejected.		`			
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/o	or election requirement.				
Application Papers					
9) The specification is objected to by the Examine	er.				
10)⊠ The drawing(s) filed on <u>24 July 2004</u> is/are: a)⊠ accepted or b)⊡ objected to by the Examiner.					
Applicant may not request that any objection to the	drawing(s) be held in abeyance. Se	e 37 CFR 1.85(a).			
Replacement drawing sheet(s) including the correct		-			
11)☐ The oath or declaration is objected to by the E	xaminer. Note the attached Office	Action or form PTO-152.			
Priority under 35 U.S.C. § 119					
12)⊠ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)⊠ All b)□ Some * c)□ None of:					
1. Certified copies of the priority documents have been received.					
2. Certified copies of the priority documents have been received in Application No					
3. Copies of the certified copies of the priority documents have been received in this National Stage					
application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.					
300 the attached detailed Office action for a list	or the certified copies flot receive	zu.			
Attachment(s)					
1) X Notice of References Cited (PTO-892)	4) 🔲 Interview Summary	(PTO-413)			
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Di	ate			
3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>07/24/04</u> .	6) Other:	Patent Application (PTO-152)			

#### **DETAILED ACTION**

## Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, there is no antecedent for "said output capacitor". Claim 1 recites "a plurality of output capacitors".

In claim 3, there is no support for the language therein. In the scenario wherein N=3, there will be four capacitors, rather than the three shown in Fig. 1. As seen, when N=3, the recitation of "(N-2)th output capacitor" of line 9 would be interpreted as a re-recitation of the "first (i.e., 1st) output capacitor", first recited in line 5. Because of this, it appears that the language in lines 3-7 (starting with "an input power source" and ending with "second timing") is redundant to the remainder of the claim. Thus, it appears that the claim should be amended in accordance with one of the following suggestion: First, delete the discussed language in lines 3-7; or second, change "equal to three" in the last line of the claim to --equal to four--. Also, there is no support found in the specification for the "first output capacitor" and the "(N-2)th output capacitor" in addition to the recited "plurality of output capacitors". It is suggested that claim 3 be amended to clarify that the "first output capacitor" and the "(N-2)th output capacitor" are part of the "plurality of output capacitors".

In claim 4, there is no antecedent for "said output capacitor". Claim 1 recites "a plurality of output capacitors".

In claims 5-7, there is support for the "at least one output capacitor" in addition to the recited "plurality of output capacitors", similarly as discussed with claim 3.

### Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Ellis (USPN 5,606,491). Ellis discloses, in Figs. 1 and 2, a circuit comprising: "one charge capacitor (26)"; and "a plurality of output capacitors" having "a first output capacitor (46)"; and second "output capacitor (26)", all connected and operating similarly as recited by Applicant.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terry Cunningham whose telephone number is 571-272-1742. The examiner can normally be reached on Monday-Thursday from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2816

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TC

**September 18, 2004** 

Terry D. Cunningham Primary Examiner

Art Unit 2816